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 NEWMEYER & DILLION, LLP, a California limited liability partnership

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 10 **UNITED STATES DISTRICT COURT**

11 **NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION**

12 TRAVELERS INDEMNITY COMPANY OF
 13 CONNECTICUT, a Connecticut corporation,

14 Plaintiff,

15 v.

16 CENTEX HOMES, a Nevada partnership;
 17 NEWMEYER & DILLION, LLP, a California
 limited liability partnership; RGL INC., a
 California corporation, dba RGL
 18 FORENSICS; and DOES 1 through 10,
 inclusive,

19 Defendants.

20
 21 AND RELATED CONSOLIDATED CASE

Case No. 3:13-cv-00088-CRB

[Consolidated with Case No. 3:12-cv-00371-CRB]

Honorable Charles R. Breyer

**STIPULATION TO CONTINUE STATUS
 CONFERENCE AND ORDER AND
 DECLARATION OF JEFFREY M.
 HAYES**

Judge: Hon. Charles R. Breyer
 Date: February 19, 2016
 Time: 8:30 a.m.
 Crtrm.: 6, 17th Floor

Trial Date: Not Set

22
 23
 24 **WHEREAS**, Plaintiffs Travelers Property Casualty Company of America and Travelers
 25 Indemnity Company of Connecticut (collectively “Travelers”), Centex Homes (“Centex”),
 26 Newmeyer & Dillon, LLP (“Newmeyer”) and RGL Forensics (“RGL”) appeared before the
 27 Court, through counsel, for a status conference on November 20, 2015.

1 **WHEREAS**, the Court continued the status conference in this action to February 19, 2016,
2 at 8:30 a.m. to allow Travelers and Centex to attend a mandatory settlement conference being
3 conducted by the Honorable John Kronstadt, United States District Judge for the Central District
4 of California, in other pending cases involving Travelers and Centex.

5

6 **WHEREAS**, the Court indicated that the parties should file any motions for leave to
7 reconsider on or before January 31, 2016, and the parties, at the direction of the Court, agreed to
8 exchange their initial disclosures on January 29, 2016.

9

10 **WHEREAS**, Travelers and Centex attended the mandatory settlement conference on
11 January 19, 2016. During the mandatory settlement conference, Travelers and Centex discussed
12 all of the approximately 80 cases pending between them in California state and federal court.

13

14 **WHEREAS**, Travelers and Centex did not reach a settlement of all their pending disputes
15 during the mandatory settlement conference, but did agree to an informal exchange of information
16 that may help to facilitate a settlement of some, or all, of the disputes between them.

17

18 **WHEREAS**, Travelers and Centex agreed to attend a continued mandatory settlement
19 conference, which will be held on February 23, 2016 at 9:00 a.m. before Judge Kronstadt.

20

21 **WHEREAS**, Travelers, Centex, RGL and Newmeyer believe it would be beneficial for
22 Travelers and Centex to attend the upcoming continued mandatory settlement conference with
23 Judge Kronstadt on February 23, 2016, before moving forward with the continued case
24 management conference in this case, at which the parties anticipate the Court will issue a case
25 management order.

26

27 **WHEREAS**, Travelers, Centex, RGL and Newmeyer respectfully request that the Court
28 continue the upcoming continued status conference in this case for approximately 30 days to

1 March 18, 2016, or another date that is convenient for the Court.

2
3 **WHEREAS**, Travelers, Centex, RGL and Newmeyer respectfully request that the Court
4 extend the pending deadlines to exchange initial disclosures and to file motions for leave to
5 reconsider.

6
7 **IT IS, THEREFORE, STIPULATED** by and between Travelers, Centex, Newmeyer and
8 RGL that the status conference currently set for February 19, 2016, at 8:30 a.m. be continued to
9 March 18, 2016, at 8:30 a.m., or another date and time that is convenient for the Court.

10
11 **IT IS FURTHER STIPULATED** by and between Travelers, Centex, Newmeyer and
12 RGL that the further Case Management Statement will be due on March 11, 2016, or another date
13 and time that is convenient for the Court.

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15 **IT IS FURTHER STIPULATED** by and between Travelers, Centex, Newmeyer and
16 RGL that the deadline to exchange initial disclosures in this case will be March 11, 2016.

17
18 **IT IS FURTHER STIPULATED** by and between Travelers, Centex, Newmeyer and
19 RGL that the deadline to file motions for leave to reconsider in this case will be February 29, 2016
20 or any other date after February 29, 2016 that the Court selects.

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22 **IT IS FURTHER STIPULATED** by and between Travelers, Centex, Newmeyer and
23 RGL that no party shall file a motion for leave to file a motion for reconsideration until February
24 29, 2016. However, if the parties receive a signed order from the Court by noon on January 29,
25 2016, indicating that the deadline to file a motion for leave to file a motion for reconsideration has
26 been moved from January 31, 2016, to a date after February 29, 2016, the parties mutually agree
27 not to file any such motion for leave to file a motion for reconsideration until at least February 29,
28 2016. If the parties receive no such order by noon on January 29, 2016, however, the parties will

1 file any planned motion for leave to file a motion for reconsideration in the afternoon on January
2 29, 2016. In that event, any opposition to the motion will be due on the date set forth in the local
3 rules, if any, or the orders of the Court. The parties have no objection, however, to the Court
4 delaying any hearing set on any such motion until after February 29, 2016.

5

6 DATED: January 27, 2016

PAYNE & FEARS LLP

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By: _____ /s/ *Jeffrey M. Hayes*
9 JEFFREY M. HAYES

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Attorneys for CENTEX HOMES and
11 NEWMEYER & DILLION, LLP

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DATED: January 27, 2016

THE AGUILERA LAW GROUP APLC

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By: _____ /s/ *Raymond E. Brown*
15 RAYMOND E. BROWN

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Attorneys for TRAVELERS INDEMNITY
17 COMPANY OF CONNECTICUT

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DATED: January 27, 2016

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By: _____ /s/ *Andrew P. Sclar*
21 ANDREW P. SCLAR

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Attorneys for RGL, INC.

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ORDER

PURSUANT TO STIPULATION, IT IS ORDERED that deadlines in this case be altered as follows:

The status conference currently set for February 19, 2016, at 8:30 a.m. will be continued to March 18, 2016, at 8:30 a.m.;

The Case Management Statement will be due on March 11, 2016;

The deadline to exchange initial disclosures in this case will be March 11, 2016; and

The deadline to file motions for leave to reconsider in this case will be February 29, 2016.

Dated: February 1, 2016

Hon. Charles R. Breyer
Judge, United States District Court